

# FINAL BILL REPORT

## HB 1042

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Synopsis as Enacted

**Brief Description:** Exempting certain computer software from public inspection.

**Sponsors:** Representatives Dunn, Wolfe and Romero; by request of Department of Information Services.

**House Committee on State Government**  
**Senate Committee on Energy, Technology & Telecommunications**

**Background:**

The Open Public Records Act, part of the public disclosure law, makes all public documents open to public inspection and copying unless included within a statutory exemption.

Among other exemptions, valuable formulae, designs, drawings, and research data obtained by an agency within five years of the request for disclosure are expressly exempt from public disclosure and copying when the request for disclosure would produce private gain and public loss. Computer software is not specifically exempted.

These exemptions are inapplicable to the extent that information, the disclosure of which would violate personal privacy or vital government interests, can be deleted from the specific records sought.

**Summary:**

An agency's computer software obtained within five years of the request for disclosure is specifically exempted from public inspection and copying when disclosure would produce private gain and public loss. The exemption applies to computer source code or object code, which are the main components of a computer software program.

**Votes on Final Passage:**

House 95 0

Senate 43 0

**Effective:** July 25, 1999

